

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JAMES MICHAEL TERRY, JR.,
Plaintiff,

v.

Civil No. 3:22cv797 (DJN)


C.L. ELGIN, *et al.*,
Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on December 28, 2022, the Court conditionally docketed Plaintiff's action. (ECF No. 3.) At that time, the Court informed Plaintiff that he must keep the Court advised of his current address. On February 27, 2023, the United States Postal Service returned a February 15, 2023 Memorandum Order to the Court marked, "return to sender," and "no longer [at] facility." (ECF No. 8, at 1.) Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk file a copy of this Memorandum Opinion electronically and send a copy to Plaintiff.

An appropriate Order shall issue.

/s/ 

David J. Novak
United States District Judge

Richmond, Virginia
Dated: March 9, 2023